

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

PERFORMANCE PRICING, INC.,

Plaintiff,

v.

GOOGLE INC. and AOL LLC,

Defendants.

Civil Action No. 2-07CV-432-LED
(Eastern District of Texas)

JURY TRIAL DEMANDED

**DEFENDANTS' UNOPPOSED MOTION TO EXTEND DEADLINES FOR DAUBERT
MOTIONS AND RESPONSES**

TO THE HONORABLE JUDGE OF THIS COURT:

Defendants Google Inc. and AOL LLC ("Defendants") file this unopposed motion and respectfully ask the Court to extend the deadline for *Daubert* motions and responses in this matter. Pursuant to the Court's Docket Control Order issued on June 22, 2009, *Daubert* motions are due by November 20, 2009, and responses to such motions are due by December 18, 2009. Defendants respectfully request an extension of the *Daubert* motion deadline until November 24, 2009. This brief extension would give Defendants adequate time to review the depositions of Plaintiff's experts and, as appropriate, to use these depositions in support of its *Daubert* motions. In order to accommodate this four-day proposed extension for *Daubert* motions, Defendants also respectfully request that the deadline for *Daubert* responses be extended by four days as well, until December 22, 2009. Defendants have notified Plaintiff of these requests, and Plaintiff has no opposition to Defendants' proposed extensions.

WHEREFORE, Defendants respectfully request that the Court extend the deadline for *Daubert* motions and responses as outlined above.

Dated: November 5, 2009

Respectfully submitted,

By: /s/ David J. Beck

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this motion was served on all counsel who have consented to electronic service. Local Rule CV-5(a)(3)(A).

/s/ Michael E. Richardson
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